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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
BAIRD, EDWARD J	

ART UNIT	PAPER NUMBER
3695	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/809,383	SONNEK ET AL.	
	Examiner	Art Unit	
	Ed Baird	3695	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 June 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-13,15-21,23-25,27 and 28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5, 7-13, 15-21, 23-25, 27 and 28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on **10 June 2009** has been entered.

Status of Claims

2. Applicant has amended claims **1, 9, 17, and 25. No c**laims have been added. No claims have been canceled. Thus, claims 1 – 5, 7 – 13, 15 – 21, 23 – 25, 27, and 28 remain pending and are presented for examination.

Response to Arguments

3. Applicant's remarks/ arguments filed **10 June 2009** have been fully considered.

4. Examiner acknowledges amendments to claims **1, 9, 17, and 25** and arguments thereof to overcome 35 U.S.C. § 112, 1st paragraph rejections and, in turn, withdraws rejections.

5. Applicant's arguments filed regarding the 35 U.S.C. § 103(a) rejections have been fully considered but they are not persuasive.

6. Applicant argues that a *prima facie* case of obviousness has not been established with respect to the claims because **Brown** does not teach or suggest each and every feature of claim 1 as asserted by the Office Action [Remarks page 13, 3rd paragraph – page 14, 2nd paragraph]. However, Examiner disagrees.

As discussed in previous Office Action, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, **Brown** discloses a method and apparatus for automatically managing investment portfolios which tracks a selected index and automatically harvests tax losses; the system includes an accounting system for maintaining tax lot information [Abstract]. **Jones** discloses a financial advisory system which determines optimized portfolio allocations based on estimated future scenarios of one or more economic factors [column 2 lines 55 – 63]. **Fickes** discloses a system and method for defining the value of a corporation by its categories of values, and determining the risk profile of the corporation by the relationship between these categories [Abstract]. **Adhikari**, too, discloses a method and system related to determining valuations of business entities [Abstract]. Clearly, these references are all related art to the instant invention of automatic evaluation of balance sheet objects.

7. Applicant argues "automatically determining, by a processor, a book value for each object in an accounting system", "automatically **reading**, by a processor, a book value for each object in **from an** accounting system" (emphasis original). Office Action p. 3, is inconsistent with the language "inputting a book value", Office Action p. 4. [Remarks page 15, 1st paragraph]. However, these arguments are moot based on amended claim language and that the 35 U.S.C. § 112, 1st paragraph rejections were withdrawn.

8. Applicant argues neither **Brown nor Jones** teaches *presenting advice for a degree to which the conditions are satisfied on a display before a sale or purchase of each object* [Remarks page 16, 2nd paragraph; page 17, top of page and 2nd full paragraph]. However, Examiner disagrees with arguments.

Jones discloses a financial advisory system which produces forecasts for financial advisory services [column 3 lines 40 – 57]. He further discloses the financial advisory system which provides an *initial diagnosis* based upon the user's risk preference, savings rate, and desired risk-return tradeoffs [column 6 lines 38 – 44]. He discloses *offering advice* regarding which decision variable should be modified to bring the portfolio back on track to reach the one or more financial goals with the desired probability [column 28 lines 24 – 37]. He discloses *recommending reallocation to improve efficiency of the portfolio* [Id.]. An alert may be generated to notify the user of the *advice* and/or *need for affirmative action* on his/her part [Id.].

Jones further discloses an embodiment in which the plan monitoring module can *trigger a notification or alert* to the user such as the probability of achieving a goal falling outside of a predetermined tolerance range, or can *alert* the user if a measure of the currently recommended portfolio's utility has fallen below a predetermined tolerance level [column 12 lines 34 – 56]. The user may receive an *indication* that he/she *should* rebalance the portfolio if the nature of the financial products in the currently recommended portfolio has changed [Id.]. Examiner maintains that *initial diagnosis*, *offering advice, recommending reallocation, need for affirmative action* and *triggering a notification* is indicative of Applicant's **displaying before (emphasis added) a sale or purchase of each object**. Examiner notes that *advice* by its nature only makes sense if it is offered prior to performing an action (herein, rebalancing a portfolio).

Jones discloses alerts which may be transmitted immediately to the user by telephone, fax, email, pager, fax, or similar *messaging* system [column 28 lines 24 – 37]. Examiner maintains that *messaging systems* are analogous to Applicant's **display for presenting advice**.

Jones discloses *generating portfolio scenarios* and *recommendations* thereof and *exposure to asset classes* [column 4 lines 18 -44]. Examiner maintains that *generating portfolio scenarios* and *recommendations* are indicative of Applicant's **presenting advice for a degree to which the conditions are satisfied**.

9. Accordingly, Examiner maintains 35 U.S.C. § 103(a) rejections.

Specification

10. The abstract of the disclosure is objected to because the terms LAC and SAC [0034 and 0036] are not defined. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claim 9 – 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

13. Regarding **claim 9**, the claim elements:

- program code means for ascertaining a book value for each object in an accounting system;
- program code means for determining a market value for each object;

- program code means for forming an intermediate variable from the book value and the market value;
- program code means for testing the intermediate variable to determine whether it satisfies one or more presettable conditions; and
- program code means for performing one or more actions depending upon the manner or degree to which one or more of the presettable conditions are satisfied,
- wherein . . .

are "means (or step) plus function" limitations that invokes 35 U.S.C. 112, sixth paragraph. However, it is unclear whether the claim elements are a means (or step) plus function limitations that invokes 35 U.S.C. 112, sixth paragraph, because language such as "program code" prior to the words "means for" and the *wherein clause* following the last limitation listed above, recites significant structure beyond "means (or step) plus function". If applicant wishes to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant is required to:

(a) Amend the claim to include the phrase "means for" or "step for" in accordance with these guidelines: the phrase "means for" or "step for" must be modified by functional language and the phrase must **not** be modified by sufficient structure, material, or acts for performing the claimed function; or

(b) Show that the claim limitation is written as a function to be performed and the claim does **not** recite sufficient structure, material, or acts for performing the claimed function which would preclude application of 35 U.S.C. 112, sixth paragraph. For more information, see MPEP § 2181.

14. Regarding **claims 10 - 13, 15 and 16**, the *wherein clauses* recite significant structure beyond "means (or step) plus function". If applicant wishes to have the claim

limitations treated under 35 U.S.C. 112, sixth paragraph, applicant is required to amend as described above.

Claim Rejections - 35 USC § 101

15. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

16. Claims 1 – 5, 7 – 8, and 25, 27 and 28 are rejected under 35 U.S.C. 101 as being nonstatutory.

17. **Claims 1 – 5, 7 – 8, and 25, 27 and 28,** method claims, are rejected under 35 U.S.C. §101 because, in order to comply with §101 a process/ method must (1) be tied to a particular machine or apparatus, or (2) transform underlying subject matter (such as an article or materials) to a different state or thing.

The methods recited in the claims fail to (1) be tied to a particular machine or apparatus, or (2) transform underlying subject matter to a different state or thing. Diamond v. Diehr, 450 U.S. 175, 184 (1981); Parker v. Flook, 437 U.S. 584, 588 n.9 (1978); Gottschalk v. Benson, 409 U.S. 63, 70 (1972).

There are two corollaries to the machine-or-transformation test. First, a mere field-of-use limitation is generally insufficient to render an otherwise ineligible method claim patent eligible. This means the machine or transformation must impose meaningful limits on the method claim's scope to pass the test. Second, insignificant extra-solution activity will not transform an unpatentable principle into a patentable process. This means reciting a specific machine or a particular transformation of a specific article in an insignificant step, such a data gathering or outputting, is not sufficient to pass the test.

There is no recitation within the claims to indicate that the steps that comprise the method are nothing but mental steps performed within the mind of a person. Thus, to qualify as a § 101 statutory process, the claim should positively recite the other statutory class (the thing or product) to which it is tied, for example by identifying the apparatus that accomplishes the method steps, or positively recite the subject matter that is being transformed, for example by identifying the material that is being changed to a different state.

Specifically, in independent claims 1 and 25, the term "by a processor" is mentioned in the first limitation but is not in the other limitations. Examiner suggests that similar language should be inserted in other limitations as applicable.

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

19. Claim 1 – 5, 9 – 13, and 17 – 21 are rejected under 35 U.S.C. 103 (a) as being unpatentable over **Brown et al** (US Pub. No. 2002/0059127) in view of **Jones et al** (US Patent. No. 7,016,870).

20. Regarding **claim 1, Brown** teaches:

- automatically ascertaining, by a processor, a book value for each object in an accounting system [see at least 0018 and 0031. Examiner interprets *cost basis or then present value of each individual security* as analogous to Applicant's **book value**. Examiner notes that because rebalancing, tax loss harvesting, and trading

functions are performed automatically by computerized systems [0018], automatically *ascertaining* the book value is inherent in his method].

- automatically determining a market value for each object [0033].
- automatically forming an intermediate variable from the book value and the market value [0033. Examiner interprets *current index value* as analogous to Applicant's **intermediate variable**];
- automatically testing the intermediate variable to determine whether it satisfies one or more presettable conditions [0042 and 0043. Examiner interprets *tax loss harvesting process* as including Applicant's **automatically testing the intermediate variable**]; and

Brown does not explicitly disclose:

- presenting advice for a degree to which the conditions are satisfied on a display before a sale or purchase of each object

However, **Jones** discloses a financial advisory system which produces forecasts for financial advisory services [column 3 lines 40 – 57]. He further discloses the financial advisory system which provides an *initial diagnosis* based upon the user's risk preference, savings rate, and desired risk-return tradeoffs [column 6 lines 38 – 44].

Jones discloses recommending portfolio allocations [column 17 lines 44 – 62] and recommending a fixed target asset-mix [column 19 lines 10 – 18] as well as other investment mix/ balancing strategies throughout. He further discloses displaying information to a user [column 7 line 56 – column 8 line 2] and alerts to notify users of advice transmitted immediately to the user by telephone, fax, email, pager, fax, or similar *messaging* system [column 28 lines 24 – 37]. Examiner interprets *messaging systems* as analogous to Applicant's **display for presenting advice**.

Jones discloses *offering advice* regarding which decision variable should be modified to bring the portfolio back on track to reach the one or more financial goals with the desired probability [column 28 lines 24 – 37]. He discloses *recommending reallocation to improve efficiency of the portfolio* [Id.]. An alert may be generated to notify the user of the advice and/or need for affirmative action on his/her part [Id.]. Examiner interprets *advice, alerts,* and *need for affirmative action* as indicative of Applicant's **displaying before (emphasis added) a sale or purchase of each object**. Examiner notes that *advice* by its nature only makes sense if it is offered prior to performing an action (herein, rebalancing a portfolio).

Further, **Jones** discloses *generating portfolio scenarios* and *recommendations* thereof and *exposure to asset classes* [column 4 lines 18 -44]. Examiner interprets such *recommendations* as indicative of Applicant's **degree to which the conditions are satisfied**.

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to modify **Brown's** invention to include *initial diagnosis of a portfolio* as taught by **Jones** because the diagnosis can result in a series of suggested actions including rebalancing the portfolio, increasing savings, retiring later, or adjusting investment risk [**Jones** column 6 lines 38 – 44].

21. Regarding **claims 2, 10, and 18, Brown** teaches balance sheet objects as securities [see at least 0013 to 0017].

22. Regarding **claim 3, 11, and 19, Brown** teaches the market value as the price of the object multiplied by the number of units available [see at least 0041 to 0043].

23. Regarding **claims 4, 12, and 20, Brown** teaches the intermediate variable as a difference between the book value and the market value [see at least 0034. Examiner

interprets the difference between *the present market value* and *the stored historical cost value* as analogous to Applicant's **intermediate variable]**.

24. Regarding **claims 5, 13, and 21, Brown** teaches presettable condition as the disparity between the intermediate value and a maximum disparity for the intermediate variable [see at least 0034. Examiner interprets *predetermined loss threshold* as analogous to Applicant's **maximum disparity for the intermediate variable**] ascertained over a settable period of time by a presettable amount [see at least 0041].

25. **Claims 9 and 17** are a system claim and an apparatus claim, respectively, substantially similar to the method of claim 1, and are thus rejected for the same reasons.

26. Claim 7, 8, 15, 16, and 23 – 25 are rejected under 35 U.S.C. 103 (a) as being unpatentable over **Brown** in view **Jones** in further view of **Fickes** (US Pub. No. 2005/0262014).

27. Regarding **claim 7, Brown** teaches:

- the calculated impairment price as a market price for the object [see at least 0034. Examiner interprets *present market value of each security* as analogous to Applicant's **impairment price]**.

Neither **Brown** nor **Jones** explicitly discloses displaying such prices.

However, **Fickes** discloses a system and method for defining values of corporations by its categories of values, and determining risk profiles accordingly [Abstract]. These values include Category I - - Current Realizable Value, Category II -- Value of Existing Business, Category III -- Infrastructure Value, and Category IV -- Venture Value. Categories II through IV represent values over (or under) Category I [see at least 0073 to 0081]. **Fickes** further discloses displaying values of the "metrics"

for a company. Examiner interprets these *metrics* are being inclusive of Applicant's **calculated impairment price** as a market price (*Category I - - Current Realizable Value*).

Therefore, it would have been obvious to a person having an ordinary skill in the art at the time of **Brown's** invention to include *displaying a calculated impairment price as a market price* as taught by **Fickes** because it allows a user to the user to build a logical set of criteria for defining a peer group by specifying [sic] lower and upper boundaries for any number of metrics [**Fickes** 0133].

28. Regarding **claim 8, Brown** does not explicitly disclose:

- the calculated impairment price as a market price for the object increased or reduced by a presettable value, and
- displaying a calculated impairment price (from claim 1).

Neither **Brown** nor **Jones** explicitly discloses displaying such prices.

However, **Fickes** discloses a system and method for defining values of corporations by its categories of values, and determining risk profiles accordingly [Abstract]. These values include Category I - - Current Realizable Value, Category II -- Value of Existing Business, Category III -- Infrastructure Value, and Category IV -- Venture Value. Categories II through IV represent values over (or under) Category I [see at least 0073 to 0081]. **Fickes** further discloses displaying values of the "metrics" for a company. Examiner interprets these *metrics* are being inclusive of Applicant's **impairment price** as a market price for the object increased or reduced by a presettable value as in *Categories II through IV* discussed herein.

Therefore, it would have been obvious to a person having an ordinary skill in the art at the time of **Brown's** invention to include *displaying a calculated impairment price*

as a market price for the object increased or reduced by a presettable value as taught by **Fickes** because it allows a user to the user to build a logical set of criteria for defining a peer group by specifying [sic] lower and upper boundaries for any number of metrics [**Fickes** 0133].

29. **Claims 15 and 16** are system claims parallel to the methods of claims 7 and 8, respectively, and are thus rejected for the same reasons.

30. **Claims 23 and 24** are apparatus claims parallel to the methods of claims 7 and 8, respectively, and are thus rejected for the same reasons.

31. Regarding **claim 25, Brown** teaches:

- automatically ascertaining, by a processor, a book value for each object in an accounting system;
- automatically determining a market value for each object;
- automatically forming an intermediate variable from the book value and the market value;
- automatically testing the intermediate variable to determine whether it satisfies one or more presettable

as discussed in the rejection of claim 1. **Brown** also teaches:

- automatic formation of the intermediate variable from the book value and the market value further comprises automatically **calculating an intermediate variable** [see at least 0033. Examiner interprets *current index value* as analogous to Applicant's **intermediate variable**];
- automatically testing the intermediate variable to determine whether it satisfies one or more presettable conditions is testing the disparity between the intermediate variable and an average value for the intermediate variable ascertained

[see at least 0033 and 0034. Examiner interprets *stored historic cost value* as analogous to Applicant's **average value for the intermediate variable**]

- . . . over a settable period of time by a presettable amount [see at least 0032 to 0034. Examiner interprets *predetermined loss threshold* as analogous to Applicant's **presettable amount**].

Neither **Brown** nor **Jones** explicitly discloses:

- displaying a calculated impairment price.

However, **Fickes** discloses a system and method for defining values of corporations by its categories of values, and determining risk profiles accordingly [Abstract]. These values include Category I - - Current Realizable Value, Category II -- Value of Existing Business, Category III -- Infrastructure Value, and Category IV -- Venture Value. Categories II through IV represent values over (or under) Category I [see at least 0073 to 0081]. **Fickes** further discloses displaying values of the "metrics" for a company [00134]. Examiner interprets these *metrics* are being inclusive of Applicant's **impairment price**.

Therefore, it would have been obvious to a person having an ordinary skill in the art at the time of **Brown's** invention to include *displaying an impairment price* as taught by **Fickes** because it allows a user to build a logical set of criteria for defining a peer group by specifying [sic] lower and upper boundaries for any number of metrics [**Fickes** 0133].

32. Claim 27 is rejected under 35 U.S.C. 103 (a) as being unpatentable over **Brown** in view **Jones** in further view of **Fickes** in further view of **Adhikari** (US Pub. No. 2004/0158479).

33. Regarding **claim 27,** neither **Brown, Jones,** nor **Fickes** explicitly disclose:

- a calculated impairment price is displayed comprises drawing attention to the manner and degree to which the presettable conditions are satisfied by means of a screen icon.

However, **Adhikari** discloses methods and systems for calculating business valuations and using iterative processes to generate a maximum business value based on conditions and requirements of interested parties [0002]. He further discloses the use of a "best value" **icon** which generates and displays an optimized value representing required Buyer Equity [see at least 0060, 0069, 0076, and 0083]. Examiner interprets *Buyer Equity* as analogous to Applicant's **impairment price**.

Therefore, it would have been obvious to a person having an ordinary skill in the art at the time of **Brown's** invention to include *using a "best value" icon to generate and display optimized values* as taught by **Adhikari** because it allows a user maximum versatility in determining the factors most critical to a transaction and in calculating the best value of part of a transaction [**Adhikari** 0086].

34. Claim 28 is rejected under 35 U.S.C. 103 (a) as being unpatentable over **Brown** in view **Jones** in further view of **Fickes** in further view of **Adhikari** and **Official Notice**.

35. Regarding **claim 28,** neither **Brown**, **Fickes**, or **Adhikari** explicitly disclose:

- displaying a calculated impairment price further comprises **displaying the difference between an amortized acquisition value of the object and an impairment value** of the object

However, **Fickes** discloses determining *Category I, II, III, and IV values* [see at least 0073 to 0082] and displaying related "metric" values [00134]. **Fickes** defines Category III - - Infrastructure values are defined as "the discounted value of expected future cash flows from business which can reasonably be expected to be produced in

future years, from new sales" [0079]. Examiner interprets this "*discounted value*" as analogous to Applicant's **amortized acquisition value**. Although **Fickes** does not explicitly disclose the "*difference*" between the **amortized acquisition value and an impairment value of the object,** it would have been obvious to one skilled in the art at the time of **Fickes** disclosure to include the difference in that it would show a user the disparity between determined "values" for a business.

Conclusion

The prior art of record and not relied upon is considered pertinent to Applicant's disclosure:

- **Ricciardi:** "System and method for a selecting an investment item", (US Pub. 2002/0059126).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ed Baird whose telephone number is (571)270-3330. The examiner can normally be reached on Monday - Thursday 7:30 am - 5:00 pm Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles R. Kyle can be reached on 571-272-6746. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ed Baird/
Examiner, Art Unit 3695

/Narayanswamy Subramanian/
Primary Examiner, Art Unit 3695